

Division of Solid and Hazardous Waste
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Solid Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

Onyx Waste Services, Inc.

Facility Type: Transfer Station/Material Recovery
Lot No.: 11-26; 37-59
Block No.: 1602; 1603
Municipality: Jersey City
County: Hudson
Facility Registration No.: 0906000408

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

December 3, 2001
Issuance Date

July 18, 2002
Modified Date

October 10, 2002
Modified Date

December 3, 2006
Expiration Date

Thomas Sherman
Assistant Director
Office of Permitting &
Technical Programs

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Scope of Permit

This facility is a solid waste transfer station and material recovery facility owned and operated by Onyx Waste Services, Inc. It is now known as Onyx Waste Services, Inc. Transfer Station/Material Recovery Facility - Broadway which was previously referred to as the Eastern Waste Services, Inc facility. The facility is located at 264 Broadway, Jersey City, Hudson County, New Jersey. The facility is approximately 200 feet from Routes 1 and 9 and borders industrial uses to the north, south and east.

The Broadway Facility accepts various types of waste from municipalities and private businesses under contract with Onyx Waste Services, Inc. The facility is authorized to accept solid waste types 10, 13, 13C, 23 and 27, Monday through Saturday (9:00 p.m. to 5:00 p.m.), with a maximum of 375 tons of material on any given day. The facility can process these waste types 24 hours per day Monday through Saturday. Exempt vehicles (less than 8,000 pounds gross vehicular weight (GVW)) may utilize the facility on Saturdays from 10:00 a.m. to 12:00 p.m. only.

Each solid waste vehicle must stop at the weigh station to have its gross weight registered. The vehicle is authorized to offload all incoming solid waste shipments onto the 8,000 square foot tipping floor inside the building where recyclable rich materials are recovered and the waste is loaded by a front-end loader into open top transfer trailers for shipment to authorized offsite disposal facilities. Prior to tarping, the trailers receive a pre-weight from the axle scale located just outside the loading area. All tarping is currently performed in the station. All vehicles must reweigh at the scale house after exiting the tipping floor. All vehicles access the facility via Broadway. The facility has a traffic control plan in place and has a traffic coordinator who directs all incoming traffic flow at the site in a safe and efficient manner. There is adequate staging and queuing area available on site to handle traffic flow during peak times.

The facility is authorized to recover recyclable materials from the solid waste received. The types of recyclables that may be pulled out of the waste stream are cardboard, wood, metals, concrete, paper, aluminum, glass and plastic. The segregated recyclables are placed in containers and stored in the recyclables container storage area until shipment to recycling centers or final market destinations. No solid waste will remain at the facility for more than 24 hours.

Stormwater is collected through catch basins located on site and directed to storm sewers located on Broadway. Washdown water from the tipping floor is collected through floor drains, which lead to the sanitary sewers, which are connected to the Jersey City

Sewerage Authority.

The facility is equipped with an air pollution control apparatus to prevent the migration of odors and dust to offsite areas. In addition, washdown of the tipping floor occurs each day in order to minimize the spread of dust. The building has an automated sprinkler system as a measure to control fires. There are also dry chemical fire extinguishers at various locations at the facility.

07/18/02 The Division granted an approval for the location of the new tarping station and the new on-site traffic flow pattern. The tarping station will be located west of the existing transfer building and adjacent to the existing trailer & container storage area. In Section III, Condition 4 of this permit, a construction requirements section was added. In addition, Section III, Condition 2(a) 8, contains two drawings for the proposed new construction.

(10/10/02) The Division received the construction schedule of the proposed activities as identified in the design drawings C6 (Plan of Existing Conditions with Modifications) and C7 (Traffic and Queuing Plan). Therefore, in Section III, Number 4 (Construction Requirements), the first two requirements (4 (a) 1 and 2) have been received and have been removed. Construction requirement 4 (a) 3 is now 4 (a) 1.

This permit does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this permit and/or may result in such other regulatory or legal actions which the Department is authorized by law to institute.

Section I

General Conditions Applicable to All Permits

1. Duty to Comply

- (a) Pursuant to N.J.A.C. 7:26-2.8(i), the permittee shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11.
- (b) Pursuant to N.J.A.C. 7:26-2.8(j), the permittee shall operate the facility in conformance with all of the conditions, restrictions, requirements and any other provisions set forth in this permit.
- (c) Pursuant to N.J.A.C. 7:26-2.8(k), except for minor modifications as set forth at N.J.A.C. 7:26-2.6(d), the permittee shall not modify, revise or otherwise change any condition of this permit without prior written approval of the Department.

2. Duty to Reapply

- (a) Pursuant to N.J.A.C. 7:26-2.7(b)1, if the permittee wishes to continue the operation of this facility after the expiration date of this permit, the permittee shall apply for permit renewal at least 90 days prior to the expiration date of this permit, and the facility must be included in the District Solid Waste Management Plan at the time of such application.
- (b) Pursuant to N.J.A.C. 7:26-2.7(c), the conditions of this permit shall continue in force beyond the expiration date of this permit pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-11, until the effective date of a new permit if:
 - 1. The permittee has submitted a timely and complete application for a renewal permit pursuant to (a) above; and
 - 2. The Department, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of this permit, due to time or resource constraints.
- (c) Pursuant to N.J.A.C. 7:26-2.7(d), permits continued under said section remain fully effective and enforceable, and if the permittee is not in compliance

with any one of the conditions of the expiring or expired permit the Department may choose to do any or all of the following:

1. Initiate enforcement action based on the permit which has been continued;
2. Issue a notice of intent to deny the new permit under N.J.A.C. 7:26-2.4. If the permit is denied, the permittee would then be required to cease activities and operations authorized by the continued permit or be subject to an enforcement action for operating without a permit;
3. Issue a new permit under N.J.A.C. 7:26-2.4 with appropriate conditions; or
4. Take such other actions as are authorized by N.J.A.C. 7:26-1 et seq. or the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

3. Need to Mitigate

- (a) Pursuant to N.J.A.C. 7:26-2.8(p), should the Department determine that the facility is operating in an environmentally unsound manner, the permittee shall:
 1. Within 90 days of notification by the Department, submit a plan to close or environmentally upgrade the facility in conformance with the applicable standards, as determined by the Department and set forth in N.J.A.C. 7:26-1 et seq.;
 2. Within 90 days of receipt of written approval by the Department of the submitted plan, begin to close or construct the environmental upgrading at the facility; and
 3. Within one year of receipt of written approval by the Department of the submitted plan, complete closure or construction of the environmental upgrading at the facility.
- (b) Pursuant to N.J.A.C. 7:26-2.8(q), a one time extension of the compliance schedule established by N.J.A.C. 7:26-2.8(p) shall be granted by the Department provided the permittee demonstrates that it has made good faith effort to meet the schedule.

- (c) Pursuant to N.J.A.C. 7:26-2.8(r), should the environmental upgrading required pursuant to N.J.A.C. 7:26-2.8(p) not be completed or should continued operations be determined by the Department to be environmentally unsound despite the implementation of the plan approved pursuant to N.J.A.C. 7:26-2.8(p), the facility shall temporarily or permanently cease operations and close or enter into receivership, as provided for in N.J.S.A. 13:1E-9, for that period of time necessary to rectify the environmentally unsound conditions.

4. Permit Actions

- (a) Pursuant to N.J.A.C. 7:26-2.6(a)1, if cause exists, the Department may modify, or revoke and reissue this permit, subject to the limitations of that section, and may require the permittee to submit an updated or new application in accordance with N.J.A.C. 7:26-2.6(e), if appropriate.
- (b) Pursuant to N.J.A.C. 7:26-2.6(b), the Department may modify or, alternatively, revoke and reissue this permit if cause exists for termination under N.J.A.C. 7:26-2.6(c) and the Department determines that modification or revocation and reissuance is appropriate.
- (c) Pursuant to N.J.A.C. 7:26-2.6(d), upon the request of the permittee, an interested party or for good cause, the Department may make certain minor modifications to a permit without issuing a tentative approval, providing public notice thereof or holding a public hearing thereon.
- (d) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit such facts or information.

5. Signatory Requirements

- (a) All completed registration statements submitted by the permittee shall be signed as specified at N.J.A.C. 7:26-2.4(e)1.
- (b) All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be

submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the permittee, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2.

- (c) Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e) 1 or (e) 2, submitted on behalf of the permittee, shall make the certification specified at N.J.A.C. 7:26-2.4(e) 3.

6. Transfers

- (a) Pursuant to N.J.A.C. 7:26-2.8(1), the permittee shall not transfer ownership of the permit without receiving prior written approval of the Department, in accordance with N.J.A.C. 7:26-2.7(e).
- (b) Pursuant to N.J.A.C. 7:26-2.7(e)1, a written request for permission to allow any transfer of ownership or operational control of the facility must be received by the Department at least 180 days in advance of the proposed transfer. The request for approval shall include the following:
 - 1. A registration statement, completed by the prospective new permittee on forms provided by the Department;
 - 2. A disclosure statement as required by N.J.A.C. 7:26-16.4 completed by the proposed transferee;
 - 3. A written agreement between the permittee and the proposed new permittee containing a specific future date for transfer of ownership or operations.
- (c) Pursuant to N.J.A.C. 7:26-2.7(e)2, a new owner or operator may commence operations at the facility only after the existing permit has been revoked and a permit is issued pursuant to N.J.A.C. 7:26-2.4.
- (d) Pursuant to N.J.A.C. 7:26-2.7(e)3, the permittee of record remains liable for ensuring compliance with all conditions of the permit unless and until the existing permit is revoked and a new permit is issued in the name of the new owner or operator.
- (e) Pursuant to N.J.A.C. 7:26-2.7(e) 4, compliance with the

transfer requirements set forth in that subsection shall not relieve the permittee from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision.

7. Registration Statement

- (a) Pursuant to N.J.A.C. 7:26-2.8(b), prior to May 1 of each calendar year the permittee shall submit to the Department a statement updating the information contained in the permittee's initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this permit.
- (b) Pursuant to N.J.A.C. 7:26-2.8(c), the permittee shall notify the Department in writing within 30 days of any change in the information set forth in the permittee's current registration statement.
- (c) Pursuant to N.J.A.C. 7:26-2.8(d), failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate.

8. Duty to Update Disclosure Statement

- (a) Pursuant to N.J.A.C. 7:26-16.6(b), the permittee and/or facility operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6.
- (b) Pursuant to N.J.A.C. 7:26-16.6(c), the permittee and/or facility operator shall report any other changes in the information contained in the permittee's disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the permittee's annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6.

9. Operating Record and Reporting Requirements

- (a) The permittee shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a).
- (b) The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b).
- (c) The permittee shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c).
- (d) The permittee shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Recycling and Planning and the Solid Waste Coordinator for the Hudson County District, on forms provided by the Department (or duplicates of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e).
- (e) Pursuant to N.J.A.C. 7:26-6.4, upon request by the Department, the permittee shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes.

10. Conformance to the District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26-6.12(b), the permittee shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the permittee fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the permittee shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations.

11. Compliance with Other State Regulations and Statutes

Pursuant to N.J.A.C. 7:26-2.8(h), the issuance of this permit shall not exempt the permittee from obtaining all other permits or approvals required by law or regulations.

12. No Change to Waste Identification

(a) Pursuant to N.J.A.C. 7:26-2.13(j), solid waste shall be identified at the point of generation. The facility permitted herein is not the point of generation of waste received. Solid waste received by the facility shall retain the ID type identified in the O and D form received by the facility. The type of solid waste shall not change due to the removal of recyclable materials or the processing of the solid waste.

(b) Pursuant to N.J.A.C. 7:26-2.13(c), the permittee shall designate waste remaining after processing, within the O and D form and the daily record of the facility, as the same waste type as originally received at the facility.

13. Computerized Scales Requirement

Pursuant to N.J.A.C. 7:26-2.13(a)8, the permittee shall install and operate computerized scales for the reporting requirements in N.J.A.C. 7:26-2.13.

End of Section I

Section II

General Operating Requirements

1. General Operating Requirements For All Solid Waste Facilities

Pursuant to N.J.A.C. 7:26-2.11, the facility must be operated in compliance with the following general operating requirements:

- (a) Within each 24 hour period the operator shall clean each area where waste has been deposited or stored.
- (b) No waste shall be stored overnight at the facility without effective treatment to prevent odors associated with putrefaction.
- (c) Facility property surrounding the actual disposal area shall be maintained free of litter, debris, and accumulations of unprocessed waste, process residues and effluents. Methods of effectively controlling wind-blown papers and other lightweight materials such as fencing shall be implemented at the facility.
- (d) Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration.
- (e) The operation of the facility shall not result in the emission of air contaminants in violation of N.J.A.C. 7:27-5.2(a).
- (f) The operator shall maintain all facility systems and related appurtenances in a manner that facilitates proper operation and minimizes system downtime. When requested, the operator of the facility shall furnish proof that provisions have been made for the repair and replacement of equipment which becomes inoperative.
- (g) An adequate water supply and adequate fire-fighting equipment shall be maintained at the facility or be readily available to extinguish any and all types of fires. Fire-fighting procedures as delineated in the approved O and M manual, including the telephone numbers of local fire, police, ambulance and hospital facilities, shall be posted in and around the facility at all times.

- (h) The operator shall effectively control insects, other arthropods and rodents at the facility by means of a program in compliance with the requirements of the New Jersey Pesticide Control Code, N.J.A.C. 7:30, and implemented by an applicator of pesticides, certified in accordance with the New Jersey Pesticide Control Code, N.J.A.C. 7:30.
- (i) Only solid waste vehicles properly registered, pursuant to N.J.A.C. 7:26-3, with the Division of Solid and Hazardous Waste, unless exempt from the registration requirement pursuant to N.J.A.C. 7:26-3.3, and displaying the appropriate registration number and solid waste decal shall be admitted for loading and unloading of any solid waste at the facility. Solid waste vehicles exempt from registration pursuant to N.J.A.C. 7:26-3.3, or those which must be manually unloaded, shall not be admitted to the tipping area when registered, commercial type solid waste vehicles including, but not limited to, compactor trucks, trailers or any solid waste vehicle that tilts or uses other mechanical means to discharge its solid waste are being unloaded, or when other heavy equipment is being operated in the tipping area. The facility shall be sufficiently staffed to ensure that this requirement is not violated.
- (j) The operator shall designate a secure area under the facility's control, located a safe distance from the tipping area, where solid wastes may be unloaded from those solid waste vehicles which are either exempt from the registration requirements of N.J.A.C. 7:26-3.3 or which must be manually unloaded. Bulky items and recyclable materials may be provided for in this manner. It shall be the operator's responsibility to remove the bulky items, recyclable materials or other waste from the designated area at a frequency so as not to exceed the storage capacity of the areas.
- (k) The operator shall at all times comply with the conditions of the SWF permit, as well as all other permits or certificates required and issued by the Department or any other Federal or State authority. The operator shall not receive, store, handle, process or dispose of waste types not specifically identified in the SWF permit or other permit or certificate issued by the Department.
- (l) The operator shall designate a secure area under the facility's control, located a safe distance from the

active disposal area, where solid waste, including suspected hazardous waste, which the facility is not permitted to receive shall be deposited until the operator receives instruction from the Department as to the proper disposal of the unpermitted waste.

- (m) The operator shall maintain a record of the quantity of each authorized waste type accepted for disposal, in accordance with N.J.A.C. 7:26-2.13.
- (n) Departmental inspectors shall have the right to enter and inspect any building or other portion of the facility, at any time. This right to inspect includes, but is not limited to:
 - 1. Sampling any materials on site;
 - 2. Photographing any portion of the facility;
 - 3. Investigating an actual or suspected source of pollution of the environment;
 - 4. Ascertaining compliance or non-compliance with any statutes, rules, or regulations of the Department, including conditions of the SWF permit or other permit or certificate issued by the Department; or
 - 5. Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection.
- (o) The quantity of waste received by the facility operator shall not exceed the system's designed handling, storage, processing or disposal capacity as identified in the SWF permit or other permit certificate. The designed processing and disposal capacity approved within the solid waste facility permit, or any other permit certificate or approval conditions as a ton per day operational maximum shall be inclusive of all solid waste received at the facility as well as all tonnages of source separated recyclables received.
- (p) The facility shall be operated in a manner that employs the use of the equipment and those techniques for the receipt, storage, handling, processing or disposal of incoming waste and process residues that are specifically authorized by the SWF permit.
- (q) The operator shall provide a means of removing mud, solid waste or other debris from the tires of all

vehicles. Vehicle tires shall be cleaned prior to the vehicle's departure from the facility's boundaries.

- (r) The approved final O and M manual shall be maintained at the facility. A written description of any proposed changes to the approved, final O and M manual shall be submitted to the Department for review. These proposed changes shall not be implemented at the facility until the Department approves the changes.

2. General Operating Requirements for Transfer Stations and Materials Recovery Facilities

- (a) At no time shall ID27 solid waste be subject to mechanized processing, such as grinding, shredding or baling, such that the physical appearance of the material is altered prior to disposal at a designated district facility.
- (b) All facility processing, tipping, sorting, loading, storage and compaction of materials (that is, solid waste and mixtures of solid waste and recyclable materials) shall occur within the confines of an enclosed building.
- (c) The installation, maintenance, operation, and repair of all systems identified within the interior layout of the facility shall comply with the requirements established by the Federal Occupational Health and Safety Administration and the New Jersey Worker and Community Right to Know Act.
- (d) The queuing and staging of solid waste vehicles on any public roadway is prohibited.
- (e) The queuing and staging of solid waste vehicles shall be conducted in accordance with the approved on-site queuing plan for the facility so as to prevent traffic backups and related traffic hazards on access roads servicing the facility.

End of Section II

Section III

Specific Conditions Applicable to the Facility

1. Permitted Waste Types

The permittee is authorized to accept the following waste types:

<u>ID</u>	<u>Description</u>
10	Municipal waste (household, commercial and institutional)
13	Bulky waste
13C	Construction & demolition waste
23	Vegetative waste
27	Dry industrial waste

The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at 40 CFR 261.3.

2. Approved Designs, Plans and Reports

(a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26-1 et seq., the conditions of this permit, and the following permit application documents which are incorporated herein by reference:

1. The Solid Waste Facility Permit Application Form signed by Karen K. Duke, Secretary, Onyx Waste Services, Inc., dated February 2, 2001.
2. "Engineering Report" for a Solid Waste Transfer Station/Material Recovery Facility known as Eastern Waste Services, Corp. (currently known as Onyx Waste Services, Inc.) Broadway Facility, Jersey City, Hudson County, New Jersey. Prepared by James C. Anderson Jr., Associates, Inc. (JCA), Moorestown, New Jersey, dated May 1999, revised July 2001.

3. "Environmental and Health Impact Statement" prepared for Eastern Waste Services, Corp. (currently identified as Onyx Waste Services, Inc.), Broadway Facility, Jersey City, Hudson County, New Jersey, prepared by JCA Associates, Inc., Moorestown, New Jersey, dated May 1999, revised July 2001.
4. "Operations and Maintenance Manual", for Onyx Waste Services, Inc.- Broadway Transfer Station/Material Recovery Facility, Jersey City, Hudson County, New Jersey, prepared by JCA Associates, Inc., Moorestown, New Jersey, dated May 1999, revised March 2001 and last revised July 2001.
5. "Traffic and Transportation Report", for Eastern Waste Services, Inc., (currently identified as Onyx Waste Services, Inc.- Broadway Facility) Transfer Station/Material Recovery Facility, Jersey City, Hudson County, New Jersey, prepared by JCA Associates, Inc., Moorestown, New Jersey, dated October 1999.
6. Response letter dated August 10, 2001 to Bureau's Notice of Deficiency (NOD) dated June 12, 2001 from James C. Anderson Jr., Principal, JCA Associates, Inc., Moorestown, New Jersey to Anthony Fontana, Chief, Bureau of Hazardous Waste & Transfer Facilities.
7. The following drawings prepared by James C. Anderson Jr., Associates, Inc., sealed and signed by David W. Munion, N.J.P.E. License No. 32490 and dated as noted:
 - i. Drawing No. C1 entitled "Key Map for Onyx Waste Services, Inc. Broadway Transfer Station/MRF", dated August 12, 1992 with latest revision (No. 2) on August 13, 2001.
 - ii. Drawing No. C2 entitled "Site Location Map for Onyx Waste Services, Inc. Broadway Transfer Station/MRF", dated August 12, 1992 with latest revision (No. 2) on August 13, 2001.
 - iii. Drawing No. C3 entitled "Aerial Vicinity Map

- for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated August 12, 1992 with the latest revision (No. 2) dated August 13, 2001.
- iv. Drawing No. C4 entitled "Wetlands Plan for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated August 12, 1992 with latest revision (No. 2) dated August 13, 2001.
 - v. Drawing No. C5 entitled "Wetlands Plan for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated August 12, 1992 with latest revision (No. 2) dated August 13, 2001.
 - vi. Drawing No. C6 entitled "Plan of Existing Conditions with Modifications for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated August 12, 1992 with latest revision (No. 5) dated February 4, 2002.
 - vii. Drawing No. C7 entitled "Traffic and Queuing Plan for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated August 12, 1992 with latest revision (No. 5) dated December 20, 2001.
 - viii. Drawing No. A1 entitled "Floor Plan of Existing Conditions with Modifications for Onyx Waste Services, Inc. Broadway Transfer Station/MRF"; dated May 5, 1999 with latest revision (No. 3) dated February 27, 2001.
8. Submittal of Request for Modification for Onyx Waste Services, Inc. - Broadway Transfer Station/Material Recovery Facility, prepared by James C. Anderson Associates, Inc. and submitted on June 19, 2002.

In case of conflict, the provisions N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this permit, the conditions of this permit shall have

precedence over the SWF permit application documents listed above, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs.

- (b) One complete set of the permit application documents listed in Condition 2(a) above, this Solid Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials.

3. Approved Operations

- (a) The permittee may accept a maximum of 375 tons of material, which material shall include solid waste and/or source separated recyclable materials on any operating day. The material shall be deposited only on those areas within the building which have been specifically identified in the approved design drawings for such purposes. The permittee shall process the amount of material received by the end of each operating day.

- (b) The permittee shall accept and process waste at the facility in accordance with the following schedules:

Waste Acceptance:

Monday through Saturday: 9:00 p.m. to 5:00 p.m.

Waste Processing:

Monday through Saturday: 24 hours per day

- (c) The permittee shall schedule the waste deliveries to the facility in such a manner as to minimize truck queuing on the facility property. The permittee shall stage vehicles in accordance with the queuing plan provided in the Traffic and Queuing Plan (Drawing No. C7) referenced in Condition 2(a) 7 vii of this Section. Under no circumstances shall delivery trucks and/or transfer trailers accessing or exiting the facility be allowed to park or queue on any public road.
- (d) The permittee shall inspect each incoming waste load to identify the incidence of designated recyclable materials mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The permittee shall consult

with each county recycling coordinator for the facility's service area on a quarterly basis to review those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99.13(b)2. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The permittee shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator.

- (e) In the event of a facility outage or other significant malfunction which would result in the facility's inability to process waste at a rate equal to or exceeding the rate of incoming waste, the operator shall immediately report such situation or event to the Department's Hotline at (877) 927-6337.
- (f) The permittee shall post at the facility, and provide to the users of the facility, a copy of the traffic routes described in Operations and Maintenance Manual referenced in Condition 2(a) 4 of this Section.
- (g) The permittee may conduct materials recovery operations as follows:
 - 1. The permittee shall only extract recyclable materials (including all types of Class A and Class B recyclable materials), in accordance with the Engineering Design referenced in Condition 2(a) 2 of this Section. All recovered materials shall be stored in containers as depicted on the approved Plan of Existing Conditions with Modifications drawing referenced in Condition 2(a) 7 vi of this Section, pending transportation to a recycling center or final market destination.
 - 2. The permittee shall not accept any waste load from a commercial or institutional generator for recovery of designated recyclable materials mandated to be source separated at the point of origin unless the facility has received documentation from the generator that the generator's municipality has granted the generator an exemption from the requirement to source separate the designated recyclable materials from the solid waste stream. The permittee shall maintain a copy of each such documentation of

exemption at the facility. Additionally, for each such commercial or institutional generator from which the permittee accepts a waste load for recovery of designated recyclable materials, the permittee shall provide reports to the generator's municipality, annually or as otherwise requested by the municipality, identifying the generator, the quantity (in tons) of the waste loads received from the generator and the quantity (in tons) of each of the designated recyclable materials actually recovered from those waste loads.

3. The permittee shall maintain contracts or letters of agreement with end markets, manufacturers and approved recycling centers for the disposition of all recovered materials. The permittee shall notify the Department within one week of changes in the status of existing contracts or the addition of any new contracts or letters for the disposition of recovered materials. Such notice shall include documentation of the changed status or a copy of the new contract or letter of agreement.
- (h) The permittee shall maintain the air pollution control equipment for the facility. The air pollution system's filters shall be replaced in accordance with the manufacturer's standard operating procedures. The air pollution control system shall be turned on and functioning properly when solid waste is stored and/or processed within the building.

4. Construction Requirements

- (a) The permittee is authorized to construct a tarping station in the area as detailed in the engineering designs referenced in Condition 2(a)7 of this Section, subject to the following requirements:

1. Within thirty (30) days of completion of each of the construction projects, the permittee shall submit to the Department, by Certified Mail or hand delivery, written certification from both the permittee and a licensed professional engineer registered in the State of New Jersey, that the construction has been completed in accordance with the approved designs. The written certifications shall be in conformance with the requirements cited in Condition 5 (c) of Section I of this permit, and shall be accompanied with a set of "as built" construction drawings signed and sealed by the licensed professional engineer.

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